

DOUGLAS T. SLOAN, City Attorney
CITY OF FRESNO
By: Francine M. Kanne, Chief Assistant City Attorney (#139028)
2600 Fresno Street, Room 2031
Fresno, California 93721-3602
Telephone: (559) 621-7500
Facsimile: (559) 488-1084

Attorneys for the CITY OF FRESNO

RE:

**RECORDS REGARDING
LICENSE PLATE READERS**

**RESPONSE TO PUBLIC RECORDS
ACT REQUEST FOR DOCUMENTS
(Govt. Code §6250, et seq.)**

The City of Fresno (City) responds to a request pursuant to the California Public Records Act (Gov. Code §6250, et seq.) by the Aaron Swartz Day Police Surveillance Project, regarding **various records pertaining to license plate readers from January 1, 2015, to January 10, 2019,** as follows:

Request No. 1 – Number, if any, of License Plate Readers owned by [the City’s Police Department], including the manufacturer and whether a data storage package has been provided by the manufacturer: The City objects to this inquiry to the extent it seeks information and does not seek production of an existing public record. (Gov. Code § 6253(b).) Under the California Public Records Act, the City is not required to respond to inquiries that seek only information. Without waiving this objection, the City’s Police Department produces a potentially responsive document attached as Exhibit A.

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1 **Request No. 2 – Any documents or correspondence during the period encompassing**
2 **this request regarding possible or planned acquisition of License Plate Readers:** ”: After a
3 diligent search and reasonable inquiry of the City’s records, the City’s Police Department produces
4 a potentially responsive document attached as Exhibit B. (Gov. Code § 6254(k).) Please note the
5 City is still searching for potentially responsive email records. If any potentially responsive email
6 records exist, the City will provide a supplemental response.

7 **Request No. 3 – Any existing or proposed usage policies regarding the use of License**
8 **Plate Readers, including protocols, training documents, data storage procedures and**
9 **prohibited activities:** After a diligent search and reasonable inquiry of the City’s records, the City’s
10 Police Department produces a potentially responsive document attached as Exhibit C.

11 **Request No. 4 – Any current or past litigation involving or referencing [the City’s**
12 **Police Department] involving the use of License Plate Readers:** After a diligent search and
13 reasonable inquiry of the City’s records, the City did not locate any potentially responsive
14 documents for this request.

15 DATED: February 5, 2019.

Respectfully submitted,

DOUGLAS T. SLOAN
City Attorney

By: 

FRANCINE M. KANNE
Chief Assistant City Attorney
Attorneys for CITY OF FRESNO

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PROOF OF SERVICE
CCP §§ 1011, 1013, 1013a, 2015.5
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On February 6, 2019, I served the document described as **RESPONSE TO PUBLIC RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action ☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: ☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Aaron Swartz Day Police Surveillance Project
MuckRock News
DEPT MR 66876
411A Highland Ave
Somerville, MA 02144-2516
Email: 66876-1489881@requests.muckrock.com

☐ BY MAIL ☐ I deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

☐ (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the fax number(s) shown.

☐ (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an overnight courier service for delivery to the addressee(s).

☒ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on February 6, 2019, at Fresno, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Toni Hunter